

ENTERED

October 10, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JENELL M. TARTT,

Plaintiff,

VS.

MARTIN J. O'MALLEY,

Defendant.

§
§
§
§
§
§
§
§

CIVIL ACTION NO. 4:24-CV-01521

ORDER

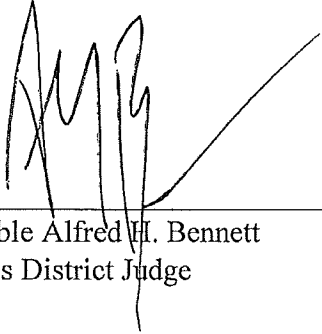
On September 19, 2024, the Court referred this social security appeal to Magistrate Judge Yvonne Y. Ho to conduct all proceedings. Doc. #12. On September 25, 2024, Plaintiff filed a Declination to Proceed Before a Magistrate Judge (Doc. #17), upon which the Court withdrew its referral of this case to Judge Ho (Doc. #19). Doc #17. For clarity, in the event a party fails to consent to proceed before a Magistrate Judge, the District Judge may nonetheless refer all pretrial matters to a Magistrate Judge for issuance of a Memorandum and Recommendation. *See* 28 U.S.C. § 636(b); *Wiggins v. Soc. Sec. Admin.*, No. 3:18-CV-374-L, 2020 WL 2507352, at *1 (N.D. Tex. May 15, 2020) (“Plaintiff’s argument that he did not consent for the Magistrate Judge to decide this action is of no moment, as the district court—not the Magistrate Judge—makes the final determination in this action. The Magistrate Judge simply makes a recommendation to the court.”).

Accordingly, this case remains REFERRED to Judge Ho for all pretrial matters, including the issuance of a Memorandum and Recommendation on any dispositive motions.

It is so ORDERED.

OCT 09 2024

Date


The Honorable Alfred H. Bennett
United States District Judge